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**From:** Payne, James [payne.james@epa.gov]  
**Sent:** 12/13/2019 11:15:23 PM  
**To:** Fotouhi, David [Fotouhi.David@epa.gov]  
**Subject:** FW: Updated MONSANTO Brief for management review  
**Attachments:** LPS-#272107-v1-Monsanto\_US\_Brief\_Dec\_9.docx; ATT00001.htm

Forwarding per Matt refusal. I am planning to review.

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**From:** Leopold, Matt (OGC) <Leopold.Matt@epa.gov>  
**Sent:** Friday, December 13, 2019 6:12 PM  
**To:** Payne, James <payne.james@epa.gov>  
**Subject:** Fwd: Updated MONSANTO Brief for management review

I am recused from this matter.

Sent from my iPhone

Begin forwarded message:

**From:** "Perlis, Robert" <Perlis.Robert@epa.gov>  
**Date:** December 13, 2019 at 5:41:59 PM EST  
**To:** "Leopold, Matt (OGC)" <Leopold.Matt@epa.gov>, "Payne, James" <payne.james@epa.gov>, "Dunn, Alexandra" <dunn.alexandra@epa.gov>, "Fischer, David" <Fischer.David@epa.gov>, "Keigwin, Richard" <Keigwin.Richard@epa.gov>, "Messina, Edward" <Messina.Edward@epa.gov>  
**Cc:** "Cole, Joseph E." <cole.josephe@epa.gov>, "Koch, Erin" <Koch.Erin@epa.gov>, "Aranda, Amber" <aranda.amber@epa.gov>  
**Subject:** FW: Updated MONSANTO Brief for management review

To all:

Here is the second draft of DOJ's proposed amicus brief in the Hardeman (glyphosate tort) case. This reflects a first round of comments from Amber, Erin, and me in PTSLO. DOJ needs all comments from EPA by COB on Monday, December 16<sup>th</sup>. Sorry about the deadline. Please forward any comments you may have to Erin, so that they're all gathered in one place. Thank you, and please feel free to contact me or Erin if you have any questions.

Bob

Bob Perlis  
Pesticides and Toxic Substances Law Office  
Office of General Counsel  
US EPA  
(202) 564-5636

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**From:** Koch, Erin <Koch.Erin@epa.gov>  
**Sent:** Friday, December 13, 2019 4:21 PM  
**To:** Perlis, Robert <Perlis.Robert@epa.gov>

**Subject:** FW: Updated MONSANTO Brief

**Importance:** High

Do you want to send this up the chain now so they have a bit more time? I'm about done with my day but dealing with a PRIA fund legislation issue that is also urgent so I plan to look at this Monday morning.

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**From:** Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>

**Sent:** Friday, December 13, 2019 4:17 PM

**To:** Koch, Erin <Koch.Erin@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>

**Cc:** Neumann, Jennifer Scheller (ENRD) <Jennifer.Neumann@usdoj.gov>

**Subject:** Updated MONSANTO Brief

Hi Erin,

This draft incorporates the first round of edits I've received and responds to some of the questions raised by OSG and by my appellate reviewer. In responding to those questions I've done two things:

**Ex. 5 AC/AWP/DP**

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As always, any thoughts and/or edits are welcome. You can send this version to your management for review, and I'll need any additional comments and EPA signoff by COB Monday. My goal is to get this to our front office for review on Tuesday so we can request approval in time to meet our filing deadline.

Thanks,

Matt Oakes  
Attorney Advisor  
United States Department of Justice  
Environment and Natural Resources Division  
Law and Policy Section  
(202) 514-2686